THE COURTS. BUSINESS IN THE OTHER COURTS

The Brazilian Navigation Company and Its Affairs in Court.

AN IMPORTANT CASE.

Edwin Booth in Bankruptcy-A Much-Needed Reform in Order of Arrest Cases-A Railroad City Company Sued for the Killing of a Wife-Manslaughter Case in the Oyer and Terminer-Trials and Convictions in General Sessions.

In the United States District Court yesterday the case of the government vs. two lots of ground, Nos. 23 and 24 Abbattoir place, near Thirty-ninth street, was tried before Judge Biatchford and a jury. It was sought to condemn the lots on the ground that illicit distillation had been carried on there. It was not proved that the trustee or the property, Mr. Nicholl, or the agent, was aware of such distillation, and, by direction of the Court, there was a verdict for the claimant.

Owing to the great multiplicity of motions waiting to be heard in Supreme Court, Chambers, Judge Donohue reheved Judge Barrett yesterday, who is holding Chambers this month, by also holding Chambers. Both sat till a late hour, and very nearly cleared the day's calendar. One necessity of holding the two Courts has been the prolonged argument, before Judge Barrett, in the old Adams Express Company litigation, which has been so frequently before the Courts heretofore that there is nothing possibly new to be said about it.

The affidavits, complaint and order of Judge Barrett, of the Supreme Court, in the case of John Kelly and other Tammany Sachems vs. Police Commissioner Charlick, were yesterday served upon the latter pursuant to Judge Barrett's order. As the examination is set down for next Wednesday this gives but a short time for preparation to

THE BRAZILIAN NAVIGATION COM-

A Bill in Equity-How the Company Chartered Vessels and Disposed of Their Dividends-An Important Case. There has just been filed in the United States Circuit Court for this district an important bill in equity in reference to the affairs of the Brazilian Navigation Company. Alexander de Castro, an allen and a subject of Great Britain: Iman-

uel Ubelhart Lengruber, and José d'Almeida Soares de Lima Bastos, severally aliens and subjects of the Emperor of Brazil, on their own behalf and on behalt of all others similarly interested, bring this their bill against William R. Garrison, Daniel B. Allen, Cornelius K. Garrison, James M. Motley and Mortimer Ward, all citizens of the United States and residents and citizens of the State of New York, and John M. Carrere, a citizen of the United States and resident of this district.

the Emperor of Brazil, through his then Postmaster General, entered into a contract in writing with the defendants, William R. Garrison and John The contract stated that the steamers destined

for the service of this line shall be entirely new, constructed with all the modern improvements as ultimately adopted by packets of the first class; with all venthated accommodations for 100 first class cabin passengers and space sufficient, under cover, for 400 deck passengers; with capacity to receive from 400 to 800 tous of cargo, of 1,200 English tous measurement, and with a rate of speed not less than eleven miles per hour. These conditions shall be approved by a Commissioner nominated by the imperial government be over the steamers are accepted. The service shall commence within twelve months after the signing of a decree which approves this contract, except in case of inevitable accident; or before such time, if the company shall be prepared, and in such case shall give the government three months' information previous to their being so prepared.

There were to be two voyages each month from Rio Janeiro to Para, both going and returning, touching at the capitals of Balha, Macelo, Pernambuco, Parahyba, ido Grande do Norte, Ceara e Marannao. The steamers shall be exempt from being obliged to enter the ports of Parahyba and Rio Grande do Norte whenever the water is not sufficient for the measurement and draught of such a steamer. for the service of this line shall be entirely new,

such a steamer.

The company was to have its seat or principal place of business in Rio Janeiro, where all ques-

The company was to have its seat or principal place o, business in Rio Janeiro, where all questions between it and the government or it and private individuals were to be decided.

The contract was to remain in jorce for five years, counting from the day of commencing service or navigation. It is, however, stipdiated that the contract may remain in lorce for five years longer if the imperial government does not notify the company at least sixty days previous to the ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ending of the first term that the contract will be ended at the expiration of the first flav years. the company at least sixty days previous to the ending of the first term that the contract will be terminated at the expiration of the first five years. On the 7th of June, 1870, the contract was approved and ratified by a decree of the Emperor of Brazil. After the execution of the contract, and after the decree, the decredants, as alleged in the bill, conspired together to defraud such persons as they might thereafter induce to become associated with them in the execution of the contract, as in point of fact they did thereafter induce the orators set to become associated with them, and for that purpose, and as the initial step therein, caused to be prepared, published and circulated, written articles of association of the Brazilian Navigation Company. According to these articles the head office of the company was to be in the city of New York, but the seat of the enterprise was to be in Rio Janeiro. The capital of the company was fixed at \$2,000,000 in United States currency, divided into 20,000 shares of \$100 each. The administration of the company during the first two years was to be thus composed:—Directors—William R. Garrisson, C. R. Garrison, D. B. Allen, James M. Motley and Mortimer Ward; President, William R. Garrisson, C. R. Garrison, D. B. Allen, James M. Motley and Mortimer Ward; President, William R. Garrisson, C. B. Allen, James M. Motley and Mortimer Ward; President, William R. Garrisson, C. B. Allen, James M. Carrere.

Article 22 of the articles of association says:—

The members of this association agree to subscribe the number of shares set opposite their respective names.

The members of this association agree to subscribe the number of shares set opposite their respective names, and to pay the assessments whenever the calls are made, under the preceding conditions, and thoy also agree to forfeit, at the discretion of the company, air the assessments which may have been paid, and all rights to their shares, should they not pay the calls within thrity days after they shall be due.

New York, Dec. 2-, 1870.

Names.	Profession.	Nation-	Shares.
Wm. R. Garrison, per pro- proc'n C. K. Garrison D. B. Ailen C. K. Garrison James M. Notley M. Ward J. M. Carrere, per proc'n O. K. Garrison	Merchant. Merchant. Merchant. Merchant. Treasurer.	U. States U. States U. States U. States	2,000 2,000 100 100
The articles of associa	tion were	caused	to be

The articles of association were caused to be filed by the defendants in the Tribunal of Commerce, in the city of Rio Janeiro, prior to the amount of June, 1871. The bill untrace alleges, upon information and belief of the orarors, that netting of the defendants at the time corresponding to the defendants at the time company were issued to them paid any money wastever on those shares, and that the amount of shares so issued by the defendants to themselves was precisely one-half of the whole number of shares specified in the articles of association. Carrere, it is assorted, was appointed sole managing director and assistant treassirer, the other defendants devolving the whole management of the concern to him. That at the time 2,000 shares of the company were issued to Carrere he was a banktupt, unable to pay for the same; that the other defendants knew this; and that this was one of the reasons which induced carrere to be used as an instrument to create a fictitious value for the shares, to enable all the defendants to sell such shares as they had issued to themselves. The orators declare that they subscribed for shares in good faith, and with the beliet that their rights were to be protected in the beliet that their rights were to be protected in 1,000 shares. De Castro subscribed for and owns 2,000 shares, Lengruber 1,145, and De Lima Bastos The bill, which is not voluminous, and of which

2,000 shares. De Castro subscribed for sau owns 2,000 shares. Engruber 1,145, and De Lima Bastos 408 shares.

The bill, which is not voluminous, and of which we can only make a mere abstract, charges mismanagement and fraud and silegality in regard to the manner in which steamers were procured for the line. It is charged on information and cellet that one of the steamers, the San Jacinto, bejonged either to W. R. Garrison, individually, or jointly with D. B. Allen and C. K. Garrison; that defendants paid out of the money subscribed for shares in Rio Janeilo a large sum by way of charter for the use of the vessel. Of this an accounting is demanded, as also of several other steamers, in regard to which it is claimed the efendants did not keep any account either of their expenses of of their earnings. Various other matters are alleged, all tending to show, according to the statements of the orators, that the company was greatly mismanaged to the detriment of the orators, who wind up a voluminous bill of sixty-five closely printed pages by asking the Court to call upon the detendants for an accounting, and that the Court may give such other roite in the case as it may deem just and proper.

The counsel for the complainants are Messrs. Blatchford, Seward, Griswold and Da Costa.

Edwin Booth, the Actor-He Files a Pe-

UNITED STATES DISTRICT COURT.

tition in Bankruptey. Edwin Booth, the actor, has filed a petition in rupt. In his petition and schedule he states that he is indepted to the estate of Oakes Ames, of Massachusetts, deceased, in the sum of \$100,000 This debt is secured. Among the unsecured creditors are Richard E. Robertson, \$23,800; Second National Bank of New York, \$3,000; Mary Francis
Booth (his wife), \$3,500; Security Bank of New
York, \$2,900; Clark Bell, \$10,000; J. M. Magonigie,
\$251 30; Richard E. Robertson, \$21,125 13. There
is a statement of Habilities "or bills of discount which ought to be paid by the acceptors,"
\$67,314; "notes to the amount of \$38,800, which
were notes of R. E. Robertson, discounted for Mr.
Booth by the Merchants' and Manufacturers' Bank
of this city;" Second National Bank, \$30,000, accommodation notes held by that bank, and which
notes were loaned to Mr. Booth by R. E. Robertson, of Ridgway Plains, and discounted for him.
Other debts are stated in the schedule, but those
we have mentioned are the principal ones.
In the schedule of assets Mr. Booth sets forth the
value of his jewelry, books, pictures, dumi-bells,
chandeller, objects of ver'u, stock and professional
wardrobe at about between \$8,000 and \$10,000. He
says he has no household goods or furniture. National Bank of New York, \$3,000; Mary Francis

COURT OF OYER AND TERMINER.

A Drunken Spree and Its Homicidal Results-John Keefe Found Guilty of Manslaughter in the Fourth Degree. Retore Judge Brady.

There was a large attendance in this Court yesterday listening to the trial, which occupied all day, of John Keefe, a young man indicted for the killing of Patrick McNamara. District Attorney Phelps appeared for the prosecution and Mr. John O. Mott defended the prisoner.

Phelps appeared for the prosecution and Mr. John O. Mott defended the prisoner.

The story of the prosecution was that about halfpast one o'clock on the morning of the 11th of August, 1871, the prisoner and the deceased had been drinking freely together at a saloon corner of Forty-fourth street and Third avenue, when McNamara became very much intoxicated and the prisoner started to take him to his home. They had proceeded to the corner of Thirty-sixth street and Eighth avenue, when Mr. Berrill, who is employed in the Post Office, had his attention attracted to them. They were then, as he said, quarrelling. He heard one call the other "Patsey," who addressed the other as "Jack." The man called Jack struck the other, and then, after stooping as if picking up something, struck him ayann. Thinking it was only an ordinary drunken fight Mr. Berrill passed on and thought no more of it. Shortly alterwards a policeman found McNamara on the sidewalk in a dying condition, where Mr. Burill had seen the altercation. McNamara died on the way to the station house. On examination his skull was found to be iractured on the right side. The defence was that the prisoner let the deceased on the corner of Forty-third street and Fourth avenue; that he had had no quarrel with him, but on the contrary that they had always been good friends. The prisoner decided that he was called Jack, or that the deceased ever so addressed him. Mr. Mott made as strong, indeed, that, in the face of all the evidence against him he secured for him a verdict of manslaughter in the fourth degree, the next thing to an acquittal. The prisoner was remanded till Monday for sentence.

At the conclusion of the trial, which did not terminate till nearity four o'clock, the Court adjourned till Monday morning.

SUPREME COURT-GENERAL TERM. Important Action in Connection With

Order of Arrest Cases. The following important order was promulgated vesterday by the Judges of the Supreme Court outhing order of arrest cases :-

In cases in which the defendant is in custody upon an order of arrest and in cases in which han attachment has been granted and property seized and the seizure continued, the attachment not having been discharged, the defendant of the issue joined, and upon a previous notice of five days, may move at Chambers to Away the cause advanced upon the calendar and set down trial.

NOAH DAVIS.

GEORGE C. BARRETT. CHARLES DONOHUE.

ABRAHAM R. LAWRENCE.

SUPPEME COUST-CHAMBERS. Decisions.

By Judge Barrett.

In the Matter, &c., Ketchum; Cameron vs. Heim, &c.; Hazard vs. Omberson.—Memorandums, Taylor vs. Fisk.—Report confirmed except as to costs.

Reed vs. Reed.—Report confirmed and divorce granted.

Hames vs. Hempstead.—Report of referee confirmed. firmed.

In the Matter, &c., of Opening 110th Street.—Motion granted.

SUPERIOR COURT-SPECIAL TERM. Decisions.

By Judge Sedgwick. Loughran vs. Mulins.—Motion denied, with \$10 Romaine vs. Romaine.—Decree of divorce granted.

By Judge Curtis.
vs. Johnson.—Case and exceptions

roberts vs. Johnson.—Case and exceptions ordered to be filed.

By Chief Justice Moneil.

Phillips vs. Wicks, &c.—Motion to vacate judgment denied, with \$10 costs. (See opinion.)

Same vs. Benjamin.—Motion to amend by adding parties, &c., denied with \$10 costs. (See opinion.)

Harrington et. al. vs. Andrews.—Independent for

Roe vs. Roe.—Judgment for plaintiff, dissolving the marriage, plaintiff to have custody of endidren; findings to be settled on three days notice to plaintiff's attorney.

Benner vs. Baldwin.—Motion for new trial on the judge's minutes denied with costs.

The People ex rel., &c., Miller vs. Green, Comptroller, and Earle, Auditor.—Motion against Earle granted, against Green denied. (See opinion).

Ettel vs. Bracken.—Judgment for plaintiff; findings and conclusions on file.

COURT OF COMMON PLEAS-SPECIAL TERM.

Bectaions.

By Judge Robinson.

Schreyer vs. Schreyer,—Motion for receiver denied, with \$10 costs, to abide the event.

Holyoke vs. Brown.—Motion for change of attoracy, &c., granted.

Devoe vs. Muttes.—Motion

ney, &c., granted.
Devoe vs. Muttes.—Motion denied.
By Judge J. F. Daly.
Nagle vs. Stagg.—Motion granted. (See opinion.)
The Consolidated Fruit Jar Company vs.
Mason.—Findings and decree settled.

COURT OF COMMON PLEA -- I RIAL TERM-PART 2. Suing a City Car Company for Damages

Before Judge J. F. Daly. Mrs. Goodman, on the 10th of July, 1871, was crossing East Broadway, when a car of the Dry Dock, East Broadway and Battery Railroad Com-pany came along and one of the horses ran against her, knocked her down, trampled upon her and so injured her that she died from the injuries. Suit was brought by issac Goodman against the company, claiming \$5,000 damages on account of her death. The case has been on trial for lour days. The defence was that the death resulted from her own carclessness; that she ran in front of the car when under rapid headway, and that the driver put down the brake and did his utmost to prevent running upon her. A novel leature was calling for the plaintiff Leopold Grintinger, who was introduced as an expert in the matter of car brakes. He stated that he was a graduate of the Federal Polytechnic School of Zurich and that he had made the subject of car brakes a speciality. Inasmuch, however, as he had not examined and tosted the brakes of the car in question his testimony was stricken out. The case, after occupying four days, was yesterday given to the jury. The latter, after being out several nours, were unable to agree, and were discusted. ner, knocked her down, trampled upon her and so

charged.
Thomas F. Wentworth and L. C. Ashley for plain-tiff and Mr. Scribner for defendants. MARINE COURT-PART I. A Jury Deciding on the Weight of Evi-

dence. Before Judge Shea. Claffin et al vs. Keiler .- On the 15th of February, 1873, an employe of the defendant's went at his re-quest to Claffin & Co.'s and purchased a silk dress for \$114 75, and it was on the same day sent by a porter, Charles McCallum, to the defendant's place of business. The porter swears positively that on enter ng the store Mr. Keller signed the receipt, which was produced, and took the package, no rewhich was produced, and took the package, no request being made for payment, as he (the porter) was never permitted to collect bills. Plaintain's collector swears that he subsequently called, when desenuant stated he had paid for it, and, on another occasion, that the porter had carried it away maying that it was a C. O. D. package. The defendant and his bookkeeper swear tout when the porter came the receipt for the package was signed and a check immediately grawn, but that this was refused and cash demanded, whereupon the goods were taken back and never delivered; and as to the testimony of the collector,

they say that the statement of payment was as to another bill. Owing to the strong condict of evidence in the case the Court granted a recease at this point to enable the defendant to procure the check book out of which the encex which he said was refused was drawn; but decendant, on again appearing, said that they had been changing their place of business, and he could not lay his hand on it. In charging the jury Judge shea said that it was a case in which it was not possible to reconcile the evidence; that they must either decide the poler to be a person unfaithful to the trust reposed in him, or the detendant to be gulty of a transaction which he would not characterize, and arged them to give the case a very careful consideration. After an absence of a few minutes the jury rendered a verdict in favor of the plainting for the full amount claimed.

COURT OF CENERAL SESSIONS. Alleged Outrage-The Case To Be Concluded on Monday.

Before Recorder Hackett. The trial of Morris Higgins, who is charged with erpetrating a gross outrage upon Mary O'Brien, on the 24th of January, which was commenced or Thursday afternoon, was resumed at the opening of the Court, and occupied the entire day. The prosecuting witness was then cross-examined by the prisoner's counsel. District Attorney Rollins examined Captain Petty, to whom the girl complained, and the three physicians who made an ex-amination of her person at the station house, the House of Detention and Bellevue Hospital. They

House of Detention and Bellevue Hospital. They ail concurred in saying that signs of physical violence were perceptible.

After the case was opened defendant's counsel called Jacob Philips, into whose express office in Watt street the accused took the girl, and where she charged the offence was perpetrated. Philips testified to the circumstances of Higgins meeting the complainant in Jersey City and accompanying her to New York; admitted giving the key of the basement to the prisoner, and said that they were only in the place four minutes. This contradicted the girl, who said the prisoner had her in the basement ten minutes. Philips denied assaulting her, she having sworn that after Higgins had violated her he attempted to do the same thing, but she succeeded in getting out of the place. When Philips left the stand he was detained by direction of District Attorney Rollins.

was detained by direction of District Attorney Rollins.

Higgins testified in his own behalf, and while admitting that he spoke to her in Jersey city about her baggage and conducted her to the basement, denied to at he made any improper advances or a-saulted her in any way.

A number or witnesses testified as to the good character of the accused for honesty and peaceapieness. Mr. Rollins subjected some of the witnesses to a searching cross-examination, and the testimony was all given to the jury at a late hour in the afternoon.

The Court adjourned till Monday, when counsel will sum up the case.

Larcenies and Burglaries. Lawrence Dixon, who was charged with stealing gold watch and chain, in the night time, worth \$75, from the person of John Peacock, pleaded guilty to an attempt to commit the offence. He was sent to the Penitentiary for five years.

James Connor pleaded guilty to an indictment charging him with cutting Patrick Short upon the left temple, on the 3d of January. The sentence imposed by the Court was imprisonment in the State Prison for three years and six months.

William King, who was charged with burglar-fously entering the premises of George Burghard, No. 5 Frankfort street and stealing \$40 worth of cigars, pleaded guilty to an attempt to do so.

Enoch Davis pleaded guilty to grand larceny, in stealing, on the 25th of January, two coats and \$25 in money from Edward Shields.

William Davis and William H. Brown, who were charged with stealing twenty-five jewel cases, valued at \$50, the property of the New York Morocco Company, pleaded guilty to an attempt at grand larceny.

These prisoners were each sent to the State Prison for two years and six months. lett temple, on the 3d of January. The sentence

TOMBS PILCE COURT.

How Cox Played Detective. Before Judge Morgan. On Thursday afternoon John E. Williams, of No.

17 St. Mark's place, employed by William Armstrong, corner of Fulton and Water streets, to take charge of the financial portion of his business, was called on at his residence by an individual who said his name was Edwards, and who represented himself as a detective. The so-called detective told Mr. Williams that he had been engaged by his himself as a detective. The so-called detective told Mr. Williams that he had been engaged by his employers to "shadow" him, in connection with some deficiencies in his accounts, but that the matter could be easily "fixed" if he (Williams) were willing. After some conversation Edwards asked Williams what it was worth to him to settle the thing and not to have it made public. Williams believing that the quast detective was a fraud and was attempting to blackmail him, said "it was worth about \$100." At this Edwards laughed, and pool-phooded the smallness of the amount, saying it couldn't be done short o. a cool \$250. Finally Edwards agreed to take \$200. If Williams would only leave the city for fitteen days and keep him posted as to his whereabouts. Williams apparently agreed to all this and made an appointment with Edwards for noon vesterday at the corner of Waverley place and sixth avenue, he promised to give Edwards the money at the rendezvous. They met, as per agreement, yesterday, and, after a few moments' talk, Whiams handed Edwards a package of bills, amounting to \$50, which he had previously marsed. Edwards thrust the money in his pocket without counting it, and, bidding Mr. Williams adieu, walked away. He had not gone far when Officer Quackenbush, of the Twenty-sixth precinct, with whom Williams had made a previous arrangement, tap-,ed him on the shoulder and informed him that he was a prisoner. The markau money was found on his person. On being brought to the police station he gave his name as Edward Cox, and said he had been employed as a detective by Hiram Nott. Yesterday in the police court, Mr. Armstrong, who is the prisoner said had employed him, denied it in toto, and furtner said that he had never seen the prisoner but once occore. Mr. Armstrong also stated that Cox could not have been employed by Mr. Hiram sott, as the latter has been out of business for some time.

Justice Morgan held Cox for examination.

A Sympathetic Dodge. On Thursday afternoon Mr. John A. Beyer, merchant doing business at Nos. 2 and 3 South street, was called upon by a deaf mute, who handed

merchant doing business at Nos. 2 and 3 South street, was called upon by a deaf mute, who handed him the loilowing letter:—

New York, Jan. 31, 1874.

Mesers Grorer H. Beyer & Son-Allow me to commend to your kind consideration the bearer, John Scannell, a deaf mute, who is out of work and totally destitute. By giving new amployment, or if possible by assistance in obtaining limits of the possible by assistance in obtaining limits. And and lodging, and by taking note of the above you will be benefiting one who, if given a chance to work, is not a recipient of charity. Yours, respectually.

Rector Staid May Schurch for deaf mutes.

When Mr. Beyer had read the letter he wrote on a piece of paper which he handed to the mute, "You are a fraud." The latter emphatically denied the assertion, in writing of course, and requested Mr. Beyer to accompany him to the residence of Dr. Gallaudet, who would prove the truth of his statement. This Mr. Beyer refused to do, and, calling an officer, he had Scannell arrested. Word was then sent to the reverend gentieman, requesting him to be present in court on the following day. When the case was called yesterday morning, and on the letter being shown to the Doctof, he at once pronounced it a lorgery and said that Scannell wash a impostor. The Doctor jurther said that his name had been similarly used on different occasions and parties had been swindled by it out of considerable sums of money. He trusted that Scannell would be punished.

Justice Morgan held the prisoner in default of \$1,000 to answer.

A charge of Highway Robbery.

On New Year's Eye Patrick Boyle, residing at No. 487 Greenwich street, went to visit irrends in the Seventh ward. As he was returning home.

No. 487 Greenwich street, went to visit iriends in

the Seventh ward. As he was returning home. by a gang of rumans, on the corner of Water street, who knocked him down and deliberately stripped who knocked him down and deliberately stripped him of his overcoat. In the pocket of the soat was a portemonnale containing \$19 and a pocket knife. The matter was placed in the hands of the police, and on Thursays atternoon Officer Pike arrested Frank Norman, a well-known east side character, on suspicion of being one of the roobers. In mispossession were found a knife and a portemonnale which were identified by Boyle as his property.

Justice Mogan held Norman to answer a charge of highway robbery.

BROOKLYN COURTS.

COURT OF OYER AND TERMINER.

Tragedy in a Tenement House-Trial of Peter Swenson for the Killing of Charles Nellson.

Before Judge Pratt. Peter Swenson, a Swedish sailor, was tried yesterday on a charge of having murdered Charles Neilson, also a satior, in the tenement house No. 68 Columbia street, on the 14th uit. The details of the tragedy have been published in the Herald. The prompt arraignment and trial of the prisoner created considerable com-

trial of the prisoner created considerable comment, in view of the fact that there are several other capital cases which have been pending for months and in which great popular interest has been manuested.

The trial of swenson created but comparatively little interest. He is a large, rough looking man, whose appearance created rather an unlavorable impression upon those who were present during the trial and had occasion to notice him. He was defended by Mr. Reymert. District Attorney Britton appeared for the people.

The circumstances of the tragedy showed that the prisoner, deceased and others had been drinking and playing cares together, when a dispute

arose between Swenson and Charles Nelson. They proposed a fight, and left the room with the understanding that they should meet in the yard. Swen-on secretiv procured a knife, and subsequently, meeting the deceased in the nailway, engaged in a struggle with num, during which Nelson was stabbed. Swenson's movements afterwards are explained by the evidence or Jacob Larsen, who testified:—On the night of the 14th uit, the prisoner came to my house and knocked; I was in bed; I rose, opened the window, and looked out; some one told me to come down and let him in; I went down; he said there was somebody going to kill him, and begged me to let him in; he said that some one in Peterson's house wanted to rob him; he washed nimsell in my room; he walked to the looking glass and cut off his whiskers; he took some cards out of his pocket and put them in the stove; he said he was not sure whether he had killed a man in Peterson's; he said it was Charles Nelson; he had blood on his shirt sleeves; he got a shirt, a cap and a coat of mine; I did not get the shirt he left; it was not a white shirt; I could not swear the flannel shirt produced was the one Swenson wore; my wife gave Swenson the clothes; he borrowed ten cents and left; I did not see Swenson again after that.

Swenson was arrested by officer Edward Walker, who took him to the Butler street poince station. Captain Ferry thus deserbed what transpired there:—I said, "This is a bad spec." He said, "Yes, I suppose I may as well tell you." I said, "How did the quarrel originate?" He pointed to the Petersons and said, "Those men, I and Nelson were playing cards together; we went for a drink, and when we came back we quarrelled; I said chat one on the Peterson is sed a shameful expression to the Helping and the party took all the money from his pockets. He then "used his kinie" while he was on his knees. All the parties were under the influence of liquor.

A number of witnesses were examined who testified to the prisoner's previous good character, and shortly after lour o'

SUPREME COURT-SPECIAL TERM.

ALBANY, Feb. 6, 1874. At a Special Term of the Supreme Court, before Justice Learned, this morning, the remittitus from the Court of Appeals on a decision in favor of the plaintiff in the case of The People ex rel. Ed ward W. Williams, appellants, vs. Gilson A. Day-ton, as Auditor of the Canal Department, respondent, for the recovery of the sum of \$10,422 44, due on contract for work performed on the Eric Canal, at Rochester, was received, and, on motion of Mr. R. W. Peckham, was made the judgment of

of Mr. R. W. Peckham, was made the Judgment of the Supreme Court. A writ of peremptory mandamus was also granted by Judge Learned in accordance with the remittitur greeted to the Auditor and requir-ing him forthwith to execute his warrant for the above amount, payable to Edward W. Williams.

COURT OF APPEALS CALENDAR.

The Court of Appeals day calendar for February

Nos. 14, 17, 98, 75 %, 91, 69, 100, 104.

OUR NAVY.

Shall We Have a Fleet of Worthless Vessels?

TO THE EDITOR OF THE HERALD :-I have read with much interest all of your com-

ments on the navy of this country, and see what portant question, which should interest every American citizen who respects our American flag and wishes to have it respected on every sea. We must have a navy. Without a first class navy we will never be respected eitner at home or abroad. Our navy now consists of 178 vessels of all classes, ncluding 28 tugs, and they carry 1,378 guns. Twothirds of all these are now on foreign stations, and are required there; many of them are quite worn out and require a large amount of repairs, which will cost as much, if not more, than it would to build a first class ship to take their places, and be much better fitted for the ser-vice than the ships built ten or fifteen years ago. It would be cheaper now for the government to throw away qu'te all the old engines and put in the new compound style. They occupy much less space and consume much less coal, which is a large and important item for a man-of-war on a station where she cannot procure coal unless sent from the United States. It is throwing away money for the government to make appropriations to repair these ships. I know in many cases the government has spent more money to repair an old while then a new one would cost all because Congress would not appropriate to build a new ship. It is the most costly way our navy can be kept up to repair these old ships. They should be condemned and sold for what they would bring, and ships built suited to the style of naval architecture and engineering of this age. Congress, with all its eyes on the money bags, appropriates yearly from \$15,000,000 to \$17,000,000 to support the navy. A great part of for several sessions of Congress, and it is almost impossible to get a member to vote a dollar to build a new ship. When the ten new sloops' bill was up last winter it was thought by the friends of the bill it would not pass, but after the efforts of some of its supporters the bill was cut down to eight sloops. These eight sloops are limited to

of the bill it would not pass, but after the efforts of some of its supporters the bill was cut down to eight sloops. These eight sloops are limited to \$,000 tons and no more. Now see what a sloop would be of 1,000 tons. They will be when completed small gunboats, which we require; but there are not enough. The navy depreciates yearly more than the production of the allowance by Congress. We want, and must have, to be a nation and respected abroad, building, now and at once, ten sloops-oi-war, from flitten to 2,500 tons, built of wood, and of the most modern style of architecture and engineering. Besides this we want six first class fron-clad vessels, built on the most approved style, that will equal any highish, French or Spanish fron-clad affoat. We have now on hand, stored, all completed, turrets and armor fron enough to complete these vessels, and the government should make the appropriations to construct vessels of the Monadnock class—wooden hulls, two turrets, fron-clads—matters not what they cost; the money does not go out of the coantry, it all comes in the hands of our mechanics and laborers and helps the poor. Unless the government makes some additional appropriations to keep the navy up, our navy will be, like our American commerce, owned by foreign Fowers. We will be blotted out of both navy and commerce.

We have in all fity-one iron-clad vessels, built during the war on the Ericsson (and Errory plan, of the monitor class. A large number of those vessels are worthless, and are rotten and not worth, repairing. They were experiments during the war; many of them would not float when they were built, and I assure you they are not much improved for eight years. We have some of the Passic and river and harbor class that will do good service when they get their new decks in, but they are worthless as they now are. By the earnest and faithful zeal of Secretary Robeson, who has conducted the navy since he was in office, he has managed through his foresightedness to repair four of these vessels out of approp

vessel we have and do more damage than any one could imagine.

1871 vs. 1861.

We are not in the condition we were in 1861. Many of the first class establishments have gone out of existence: five of the largest in New York nave been sold out, all on account of our commerce; they could not find work for them, the commerce having been carried on with English ships entirely, and they getting all their ships built acroad, which caused the destruction of our ship yards and machine ships, and a great many in New England, Pennsylvania and Maryland are closed up, and if the navy now keeps in this dilapidated state in a lew years we will not have but two or three establishments where can be built englies or ships. I am confident that the work can be done much cheaper in private yards than it can be in the navy. To build a new snip in the

navy costs much more than to build one outside; but our navy yards in times of peace should be kept the same as a fort in our harbor is kept in times of war. In peace they should be preserved and the outside establishments should do the work, and by this you will have machine shops and ship yards in time of war; without this we may find ourselves some day without means to protect ourselves.

and ourselves some day without means to protect ourselves.

I am confident, if Congress will appropriate money for our navy, we will get as good ships as ever floated any ocean, as we have the best skilled officers at the heads of all the departments, both in the yards and at Washington. They are well qualified to construct both Iron and wooden vessels of the first class. I have examined one now building at the Brooklyn Yard, and will say that she will be, when completed, the best ship in the American navy. I am. NATHANIEL MCKAY.

NEW YORK, Nov. 29, 1873.

FLASHES FROM THE PRESS.

Foxes are plenty among the hills of Long Island. Thirty foxes were shot in Camden county, N. J.,

Wild cats are plenty in the Catskill Mountains A mortgage for \$1,000,000 was recorded in Schuyl-

till county, Pa., last week, Thirty-five foxes have been killed at East Falnouth, Mass.. this winter.

A chapter of colored Freemasons was instituted in Hartford, Conn., last week.

in Pittsburgh on the 14th inst. The printers in Indianapolis, Ind., are still on a strike, and the papers of that city have a foriori look.

An old-fashioned deer hunt will take place at Lower Blue Lick Springs, Ky., on the 7th day of

Schuylkii boundary, flity-four deer have been shot this season. In Dauphin county, Pa., six miles from the

More than 100 deer were killed in St. Clair town-ship. Westmoreland county, Pa., during the month of December.

The Amoskeag Veterans of Manchester, N. H., hold their twentieth anniversary on Monday even-ing, February 23.

A reduction flaving been made in the wages of the puddiers in Trenton, N. J., rolling mill, they have all ceased work.

Between 800 and 900 women are employed by government at Jeffersonville, Ind., in the manu-facture of army clothing.

A Bradford county, Pa., Justice of the peace has been fined \$50 for marrying a couple aged fifteen and seventeen respectively.

The New York, New Haven and Hartford Railroad Company have decided no longer to pass the families of the employes over the road.

Six black foxes have been caught in Cumberland county, N. S., this fall. These animals are very rare, and their skins are very valuable.

A bill is before the Ohio Legislature, which, if passed, will prolibit hunters from shooting any kind of wild game noon any other man's land.

Steps are being taken by some Little Falls (N. Y.) citizens to provide for stocking the Mohawk with fish, and to prevent the use of seines in the Massachusetts has finished the Hoosac tunnel, and the State authorities are in quandary what to do with it. They cannot keep it and dare not sell it.

Another \$1,200 silver brick went to San Francisco iron Georgetown, Colorado, the other day, the 30th in three weeks. What becomes of the silver?

An enterprising typo has fitted up an office on runners, and is visiting various towns in Minne-sota, doing job printing "with neatness and di-spatch." There are over \$80,000 in the New Haven (Conn.)
Town Treasury, the receipts for liquor licenses,
and the question now is, What shall be done
with it?

About 150 workmen in the steam engineering department were discharged from the Kittery (Me.) Navy Yard Saturday—mostly New Hampshire men.

Six persons were baptized near Mansfield, Ohioon Sunday last, in "the creek." The ice had to be cut to admit of the operation and the weather was very cold.

A relic in the shape of an old book, formerly be-longing to General George Washington and con-taining his autograph, is the property of Mrs. Or-cutt, of Kalamazoo.

cutt, of Kalamazoo.

The thermometer in the southern part of Florida at this season of the year ranges between 70 and 76. In Main- between zero and thirty degrees below. Great country.

Los Angeles country, Cal., owes for gopher and squirrel scalps the sum of \$10,334, and yet the varmints are as thick as ever; 206,287 have been captured and scalped.

Thomas George, of Syracuse, has been mulcted in damages to the smount of \$150 for setting his dog upon a girl named Kasnan. It ought to have been \$1,000 at least.

A negro woman, aged eighty-four years, died in

A negro woman, aged eighty-four years, died in Sumter county, Alaoama, last week. Her funeral was attended by 127 of her descendents—represent-ing four generations.

A carrier pigeon arrived in Bridgeport, Conn., re-cently, which was sent up from the deck of a steamer bound for Florida. It was seven hours making the flight from Cape Hatteras.

At a meeting of the Wesleyan University Boat Club, held in Middletown, Copn., on Thursday evening last, the sentiment was strongly in favor of Saratoga as the place for the next regatta. The negro exodus from Alabama and Georgia continues. The Montgomery Advertiser learns that 15,000 tickets for negro emigrants have been taken up on the roads leading southward and westward

From that city.

Father Arids, Superior of the Order of Jesuits in Mexico, is in Texas, endeavoring to find suitable sites for the location of three colleges, and to make arrangements for transferring the Order from Mexico to Texas.

A resident of Indiana county, Pa., has been speculating in the reduced fare tickets issued by the Pennsylvania Railroad Company. After purchasing 100 tickets he was disguisted to flud that they "were good for two days only."

There are three railroads on Long Island, having

tickets he was disgusted to find that they "were good for two days only."

There are three railroads on Long Island, having an aggregate of 228 miles of track. The Long Island has 158 miles; the Southside, 57, and the Fushing and Northside, 11. Besides these the Ganarsie road has about five miles and the Long Island about eight.

A very fine ice-boat race took place on the river at Hudson on Thursday morning. The Peerless was challenged by the Sappho, and the challenge accepted. After a very exciting race the Peerless won. She is considered, so lar this winter, the lastest boat on the Hudson.

Farmers in Western New York who have been holding their hay for higher prices are dumbfounded at the figures receding from \$20 a ton in December to \$12 at present. The open weather, sale of stock and economy of fodder have worked the miracle.

While two boys named John Young and Thomas Riley were out hunting near Pinckneyville, Perry county, ill., they agreed to shoot at each other. Advancing to within twenty-five steps Young shot Riley, a load of sixty squirrel shot entering his breast. Both were under the inducence of iquor.

The Albany Journal warns lovers of buckwheat cakes that there is an injurious swipin in the

The Albany Journal warns lovers of buckwheat cakes that there is an injurious syrup in the market called Golden Drrp, made from common starch, sulphuric acid, &c. Its impure character can be detected by pouring a small quantity into a little strong tea, which immediately turns black as ink.

can be detected by pointing a small quantity into a little strong lea, which immediately turns black as ink.

The first printing press used in New Jersey was put up at Woodbridge, Middlesex county, by James Parker, in 1751. The legislative printing was done there, and the North American Magazine and a history of New Jersey were published there. The office was burned to the ground by English sympathizers during the revolution.

A woman named Brink, while boarding at a house in Port Jervis, N. Y., gave birth to a child. When she came to leave the house she could not pay her board, and the child was kept as security. The mother went to get her bany several times but was not allowed to have it until she paid her board. She finally state the case to Officer Burton, who went and demanded the child. After some anarty discussion the boarding house keeper stripped the child of all its clothing and told the officer to take it. He wrapped the disputed property in a shawl and delivered it to the rejoicing mother.

A REMEDY FOR CONDUCTORS "KNOCKING

TO THE EDITOR OF THE HERALD:-

conductor is an ominous commentary on the morals of America. I suppose there is no exaggeration in the statement that almost every department of business, both private and public official, is more or less honeycombed with dishonesty. Suppose that every one—every clerk, every official, every employer—should frankly acknowledge in the employer—should frankly acknowledge in the daily press the usual ways in which he "lies" and "steals" (for those are the words) in the ordinary course of his trade or of his official duties, what a mirror of the times it would be! Can America aniord to go on in this manner? Will you allow me to suggest how the ocean of iniquity in which we are sinking can be diminished at least by a spoonful? Why, look at this case. Here is a conductor who, without a clush, states how much he stole every naff trip of his car. To stop this peculation why cannot the directors of our street railways "iarm out" their cars? Could they not decide how much revenue cach car ought to bring in to them, and then let conductors hand in bids stating the amount which each will agree to return to the company at the close every week, the conductor to have all over this sum which his car will iurnish him, he paying his driver out of his own earnings, the driver to be, of course, such a man as the directors may authorize to handle the ribbons on their route?

JOURNALISTIC NOTES.

T. C. De Leon, the manager of the Mobile Thes.

tre, was formerly a journalist. George M. Dallas Bloss has retired from the editorship of the Cincinnati Enquirer.

Colonel G. R. Sweet has again become one of the proprietors of the San Antonio (Texas) Herald.

Dr. R. N. Anderson, agricultural editor of the

Hannibal (Mo.) Courier, died in Hannibal on the 14th inst. The Cuba (N. Y.) Herald has been purchased

by James A. McKibbon, and will be democratic in H. R. Farnum, formerly of the Wisconsin State Journal, has purchased a half interest in the Fond

A new democratic paper is to be started in

Dover, N. H., the Democrat of that city having been read out of the party.

Rev. I. S. Kalloch, of Kansas, has given up poli-

ties in disgust and gone back to the pulpit, but he will stick to journalism. James Evans, formerly a correspondent of the Chicago Times, died at Anna, Union county, IlL,

on Saturday, January 17.

E. M. Kline, after a long service as one of the pro prietors of the Lancaster (Pa.) Examiner, has sold out his interest and retired.

The proprietor of the Philadelphia Ledger has been elected Vice President of the Society for the Prevention of Cruelty to Animals.

The Chicago Post and Chicago Evening Matt have united under the name of the Post and Mad, with the Mast men in the principal positions. The St. Louis Democrat is trying, through the

the force of an injunction, to stop the St. Louis Globe from taking the Associated Press news.

T. B. Kingsbury is no longer associate editor of the Raleigh (N. C.) Sentinel. He proposes to start a weekly paper in Henderson or a new daily in

A. M. Thompson has retired from the editorship of the Milwaukee Sentinel, giving as a reason that

he cannot support the re-election of Matthew H. Carpenter to the United States Senate. W. F. Storey, of the Chicago Times, is about to make his third nomination—that is to say, he will take to himself a third wife. It must be under-

stood, however, that the first two are dead. The Wilmington (N. C.) Star received a proposition from the proprietor of a restaurant to advertise to the amount of \$8 and take it out in hotel accommodations, to which the editor replied that ne advertises for cash, not hash.

A Washington correspondent of the Cincinnati Commercial charges that at the last reception at the White House press reporters who were present as reporters were shoved into an anteroom with the lackeys and valets of the foreign Ministers, where they were only allowed an opportunity of admiring the gorgeous livery of the down stairs aristocracy. This is the third time that this has been done, and it has excited so much indignation that the evening administration organ, the Star, printed a strong protest against it. The blame newspaper men, save those connected with the city press, have taken the trouble to visit the White House in the past year or two for the purpose of writing accounts of official ceremonies, as the treatment they receive is intolerable.

The Cleveland Leader, in a three-column auto-biography of its 30 years' existence, rejoices that nalism and arms as John C. Vaughan, of the Leavenworth Times; Mayor Medill, of the Chicago Tribune; General A. L. Campbell, Governor of Wyoming; Alfred Cowles, business man of the Chicago Tribune; ex-Congressman French, of North Carolina, and now Sergeant-at-Arms of the Senate; General J. R. Sherwood, member of Congress from Toledo; Samuel D. Page, a Wall street banker; William N. Hudson, editor of the Detroit *Tribune*; Whitelaw Reid, of the New York Tribune; Mr. Goddard, chief editor of the Boston Advertiser ; Major William Medill, killed at Gettysburg; Captain W. W. Hutchinson, killed at Resacca, in command of George Altred Townsend.

G. M. D. Bloss, who recently retired from the editorship of the Cincinnati Enquirer, was over twenty-one years a political writer on that paper

MADE INDICAINT VIDTOR.

Another Ex.Conductor's Statement How He Pocketed a Stated Sum Daily for Himself and His Driver-Hardships of Railroad Life.

O THE EDITOR OF THE HERALD:-My attention was called to-day to an article published in your valuable paper of the 2d inst., under the nead of "Indignant Virtue," by an ex-Eighth Avenue conductor, for the publishing of which you richly merit and receive the gratitude of very many who, through the force of circumstances like and thankless position, in order to support themselves and families. Had I not been very busy at the time you published the article of which the conductor complains I would certainly have addressed you pertaining thereto, and am now constrained to do so in defence of an overworked and greatly abused class. My short experience as a street car conductor has fully convinced me

constrained to do so in defence of an overworked and greatly abused class. My short experience as a street car conductor has fully convinced me that there are very many gentlemen, in the fullest sense of the word, acting in that capacity, who, through financial embarrassment or misortnne, have accepted it, not of choice, but necessity. I know of several parties who are in that position now who have honorably filled important offices in society, and several who have been worth from \$50,000 to \$300,000.

My own experience was quite similar to that of the ex-conductor before referred to. After being out of employment more than four months, during which time I answered hundreds of advertisements, personally Sad by letter, and more than once offered to work at anything for whatever the parties could afford to pay, I at last succeeded in procuring a position some two months since on the Eighth Avenue Kalifoad as conductor. I very soon found that in order to run a good book, or, in other words, to make fair returns, the driver and the conductor does not pay the driver he will almost invariably pass carelessly by many pawengers whom he would otherwise walt for. The conductor would also be hable to miss collecting fisany fares during the day of passengers who enter the front end of the car when it is crowded, inhoherved by the conductor; while if the driver is paid he will keep watch and inform him of their entrance. Upon realising these facts i commenced paying my driver twenty-five cents per day. This company pay their drivers \$2.25 per day, while they pay their conductors but \$2. Thinking I carned \$2.50 myself I made a practice of taking about seventy-five cents a day, twenty-five of which I gave to my driver, making our pay equal. I worked for the company about four weeks and was discharged for shorts, they said; and I will solemnly swear that this is a true statement and a full average of what I took. If I did not earn this you may judge for yourself when I state that I commenced my day's work before six o'clock at

their own. New YORK, Feb. 4, 1874. DELAY IN THE SURROGATE'S OFFICE.

TO THE EDITOR OF THE HERALD:-

Can you inform me why we are so delayed in getting accounts from the Surrogate's office? I am one of the heirs to an estate, the administrator of which filed his papers at the Surrogate's office of which filed his papers at the Surrogate's office some weeks since to be copied, and has repeatedly called for them, and has received the same answer, over and over again, "not ready." We are exceedingly anxious to get through the settlement, and our patience has been tried beyond endurance. Perhaps a word from you will help us and hurry up those slow copylats employed to whittle pens and read the papers.

E. C. BROOKLYN, Feb. 6, 1874,